HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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Writ Petition No. 33694 of 1997

Between

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M.D.Pavan Kumar ..Petitioner

AND

The Vice Chairman and Housing Commissioner, Andhra Pradesh Housing Board and another ..Respondents

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:: JUDGMENT ::

4.4.2007

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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Writ Petition No. 33694 of 1997

The present writ petition has been instituted by seeking the following relief:

> "For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue a writ order or direction more particularly in the nature of writ of mandamus to declare the action of the respondent NO.2 in issuing the letter No.858/E2/EEC/EE/97, dated 22.11.1997, is illegal and bad and unconstitutional and against the principles of natural justice and against the violation of A.P. Housing Board Act, or to set aside the impugned proceedings dated 22.11.1997 issued by the respondent No.2 and pass such other order or orders."

But, however, I am saved of the bother of adjudicating upon the claims and counter claims put up by both the sides. The Housing Board appears to have reconsidered the matter and taken into account and consideration of the fact that the writ petitioner and few others deserve to be allowed to eke out their livelihood by carrying on their activities such as job typing etc., and has decided to lease in favour of these petty vendors by allotting an unutilized garage being garage No.1 in block No.1 having a plinth area of 230 sft., so that all of them can move to the said garage premises and carry on their work therefrom. The decision in this regard appears to have been communicated by the

Executive Engineer, Housing Central Division of the Housing Board on 6.1.2007. It has been represented today that the said garage No.1, block No.1 is being got ready and necessary repairs are attended to. Sri D.Ranganath Kumar, learned Standing Counsel for the Housing Board represents that the said premises will be handed over to the petty vendors before the end of April, 2007. The learned Standing Counsel also points out that each of the petty vendors has to execute a lease deed with the Housing Board to enable them to occupy the said garage, which I have no doubt that the vendors will do it immediately.

In this view of the developments that have been taken place in the matter, the *lis* in the writ petition does not require any adjudication. Hence, the writ petition stands disposed of recording the subsequent developments as aforesaid.

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NOOTY RAMA MOHANA RAO.J.

4.4.2007
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